closed
15/4/45

Sectt. II-27—50,006—23-11-42.

PUBLIC (SERVICES) **(194) Department.**

MS **SERIES.**

G.O. No ~~355~~ 753

Dated ~~8-2-45.~~ 22-3-1945

[Despatch Abstract.]

Public Services - ~~Recruitment - Reservation of vacancies for war service candidates - Difficulties arising examined - Papers recorded~~

Representation from ***Illa Billava Union — Billava community of South Kanara - Educational and other facilities Grant of ~~Orders~~ Recorded

S

1

Revenue Department.
Subject.

Public Services - Representation in (South Kanara) Billava community - Inadequacy of representation - Memorial - Submitted.

L.Dis.D.18/45.

Station: Madras. Dated 18-1-45.

From

G. Venkateswaran Esq., I.C.S.,
Secretary, Board of Revenue, Madras.
E.M. Gawne Esq., C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue.

Read:- Memorial from South Kanara Jilla Billava Union dated 23-12-44.

L.Dis.

Submitted to the Government.

For Secretary. 18/45

To the Secretary to Government, Revenue Department with the memorial in original.

ADN.18.1

D 18145

The South Kanara Jilla Billava Union,

PRESIDENT:
H. RAGAPPA.
MERCHANT.

Shri Gokarnanath Temple,
KUDROLI.

SOUTH KANARA
COLLECTOR'S OFFICE.
2 9 DEC 1944
To No.

Mangalore, 23rd Dec. 1944

A 18
2- JAN 1945

NS-014976/44-A1

Forwarded to the Secretary, Board of Rev, on Rev Q Rl Nos
28.12.44
Collector S. Kanara

The First Adviser,
To His Excellency,
The Governor of Madras,
Fort St. George, M a d r a s.

Through
The District Collector & District Magistrate,
South Kanara, Mangalore.

Humble memorial of the Members of the Committee of South Kanara Jilla Billava Union, Mangalore.

Respected Sir,

We crave leave to approach you with representations set forth in the succeeding paragraphs pertaining to the disabilities under which the Billava Community is labouring, with the earnest hope that the same will receive sympathetic consideration and favourable decisions at an early date

2. We belong to the Tulu Nad and number nearly two lakhs and form the single largest community in the District. We are primarily the tillers of soil as tenants of land-holders wholly or largely belonging to other communities, only a few among us being petty land-owners. We eke out our meagre income from land by tapping cocoanut, palmyrah or like

trees for extractions of toddy and thereby contribute a pretty big bulk of about Rupees Seventeen lakhs, as excise revenue, to the State coffers of the District.

3. We are an extremely poor and backward community in the District. In the Hindu Society, we are treated as persons, the touch of whom is considered to be a pollution by the Orthodox. We are not allowed admission into Hindu Temples for worshipping God. These and other disabilities forced us to found a small Temple of our own in the Mangalore Town, which is being run in collaboration with the South Kanara Jilla Billava Union.

4. In the commercial world our community has no voice at all. Allied to our occupation of tapping, some of our community members are excise contractors and the very poor among us are individually preparing jaggery out of toddy by some crude methods of their own, only to lead a hand to mouth existence. For want of better organisation among them and also for want of State help in their enterprise, they persist in the same old crude methods and poverty stricken state.

5. About 90% of our people live in the villages where facilities for education are quite inddequate even now. So, the majority of our people who are very poor and backward

are also quite illiterate. The other 10% of our community members who are residing in the towns are a bit educated. There are about half a dozen Law Graduates and about a dozen Graduates, there being scarcely any medical, agricultural or technical graduates among us.

6. Representations of our community in services in the Gazetted Offices of Government - Revenue, Judicial or Executive may be said to be very poor. Of the only two members holding Gazetted appointments, one is due to retire in the course of 3 or 4 months and thereafter there will be only one member left to represent our community. For want of encouragement by the Government, our Law Graduates are obliged to take to the profession of Law, and our Graduates are employed either as Sub Inspectors of Police or as clerks in Government Service as more favourable avenues are not open to them.

7. In the question of seats reserved for non-Brahmins in Public Service, particularly for Gazetted posts, we are ignored, for, the higher class non-Brahmins who are more progressive and influential, capture all seats. For a numerical strength of about two lakhs of people we do not have in all services put together, Provincial or Central, Police or Railway or any other department even half a dozen Gazetted

Officers.

8. Under the present method of elections, we can never hope to send a single representative to the Local Bodies. We are not represented in the District Board by at least, one member from our community. Being poor and backward, we are at a great handicap to fight in election campaigns, against the rich land-lords, commercial magnates and people holding high positions in life, who belong to other communities. We are not in a position to assert our rights on account of our poverty and influence of other communities over us. We are afraid, therefore, that we will have to remain deprived of our rights as long as the benign Government does not intervene and take up our cause in this respect.

9. There are a few qualified and capable youngmen among us, who can be entrusted with responsible duties of Government. But we are given no chances to show our worth, merit and character. Being the tillers of the soil, we are a hardy race, with healthy and well-built bodies capable of standing strenuous work in departments such as Revenue, Police and Excise. Due to the remoteness of our habitation from the metropolis and due perhaps to lethargy on our part, and the consequent failure to assert our rights, the Government have remained so long unappraised of serious

6

handicaps and disabilities we are labouring under.

10. Better facilities and encouragement for education is the need of the day for our community members. Better encouragement in the matter of selections of candidates in services both under the Government and Local Bodies would go a long way to benefit us to live as a self-respecting citizens with status in society. A fair spreading of the members of our community in Offices with Gazetted rank subject to all requirements and educational qualifications would instil in general a sense of protection for us from the benign Government.

11. Viewed from any point, we are undoubtedly and essentially a poor and backward community. Avoiding all tedious details, we beg to represent that after such enquiry as may be deemed necessary, the Government may be pleased to give necessary directions enunciating the principle where-under every encouragement will be afforded to our community and reservations in favour of our community may be made.

We, therefore, humbly beg to represent-

1. that better facilities for education may be afforded to our community by being classed just above the scheduled communities and given

L.P.H.

half the fee concessions as before,

2. that the present social restriction from temple entry may be removed to enable us to enter and worship in all those temples supported or maintained by the Government either by Gratuity or Tasdik in this District,

3. that representatives to local bodies may be nominated by the Government from among our community members from every Taluk in the District,

4. that research work in the up-to-date methods of preparing sugar or fine jaggery out of toddy on a commercial scale may be taken up by the Government and our youngmen be deputed for such training with Government help,

5. that selection of our educated and qualified young men to Gazetted posts under the Government may be made, with a view to give opportunities to the younger generation of our community to serve the Government, and for this purpose, executive instructions may be given to the concerned Authorities to pay special consideration to the claims of our community in the matter of selection of candidates for Gazetted posts.

We also beg to submit to the Government that during all

the troublous days of the Government, we have stood loyally by them and co-operated with them.

In the circumstances, we hope and trust, that the Government will be pleased to take all these facts into kind consideration and do justice to this community atleast hereafter.

We beg to remain,

Respected Sir.

Your most obedient servants,

Draft

Public (Services) Department.

MEMORANDUM No. 8893/45-1 dated 19.3.45

Memorial of Members of ~~Committee of~~ S.Kanara Jilla Billava Union, Mangalore, to First Adviser to H.E. dated 23-12-1944 - Ref: from the Board of Revenue L.Dis.D.18/45 dated 18-1-1945.

The Board of Revenue is requested to reply as follows to the representation forwarded with its reference quoted above:-

1. Educational facilities:- The Billava community is already included in the list of backward classes. Children of that community are therefore eligible for full remission of fees in elementary schools and, if poor, for half fee remission in secondary schools and Arts and Professional Colleges.

2. Temple entry facilities:- Under the ~~M.T.E.A.Act~~ Madras Temple Entry Authorisation and Indemnity Act the trustee or other authority of a Hindu temple may, with the approval of Government, throw open the temple to classes of Hindus who are denied entry into it.

The Govt. consider that no further provision is necessary

P.

3. Representation in local bodies:- In the Mangalore Municipal Council which is the only nominated local body in S. Kanara Dt., there are three Billava representatives.

4. Deputation of Billava gentlemen for Jaggery Schemes: The Govt. have sanctioned ~~a scheme~~ for conducting demonstrations in improved methods of ~~manufacture of~~ manufacturing jaggery from Palmyrah sweet juice. The Billava Union may, ~~be asked to~~ if it so wishes, apply to the D. I. & C for the conduct of demonstrations at suitable places in the S. Kanara district.

a grant to the Andhra University for conducting research on the economics of palmyra jaggery and

5. Appointment of Billava gentlemen to gazetted posts: Appointments to almost all gazetted posts are made on the advice of the P.S.C. The Govt. do not interfere with the discretion vested in that body.

5.3.45 6/3/45

To the Board of Agri. Coop. to D.I. & C.

20.3.45

Rev Dept

Public Services - Representation of (S. Kanara) Billava community - Inadequacy of representation in services and other grievances - Memorial

[C No 181 B/45] From the Bd of Rev & Dis D. 187/45 d 18.1.45

To AS

Please see the Bd's reference and its enclosure in the C.F.

The five requests of the memorialists ~~is~~ are examined in para 11 of the memorandum at pp 6-7 C.F.

~~Request (1) at p 7 C.F.~~ These are for consideration in the Ex. P.H. Dept and ~~for~~ Request (2) at p 7 C.F. This is one for consideration in the L.A. Dept

~~Request (3) at p 7 C.F.~~ This is one for consideration in the Rev Dept.

~~Request (4) at p 7 C.F.~~ This is a general question reflecting all Depts and for consideration in the Public Dept.

The file may be transferred to the Public Dept with the request that it may be sent to the Ex. P.H., L.A. and Rev Depts for necessary action in respect of requests 1 to 4 at pp 6-7 C.F.

A

Thro' B2

AR 23.1.45

Public (Rev) Dept

D3734

Nervo. 23/1/45

22.1.45 22-1-45

Nervo. 23/1/45 - Please see the notes of Rev. Dept. above.

23.1.45 With ref. to 'A' above - the Billava Community has been included in the list of Backward classes ~~for the purpose of Communal representation~~ in the Gen. rules & members of that Community ~~in public services~~ are already enjoying the concessions ~~provided~~ in regard to age limit for appointment to services - vide rule 10(d) of the General Rules

~~Rule 10 of the General Rules~~

1-6-9 pt

HFA.

2

As regards recruitment to gazetted posts appointment to [illegible] posts is made on the advice of the MPSC and the Govt. do not interfere with the discretion vested in the Commission. No action seems called for in this file may be passed on to EPH.

No action to be taken on Public Ltr 27/1/45

DA 25/1/45. Hus 26.1.45

Ltr 27/1/45

29.1.45

EPH (C)

Request 1 on p 6 C/F. See Concessions. The Billava is one of the communities included in the list of backward classes (other than scheduled castes) and as such Children of that community are already eligible for full remission of fees in elementary schools and, if girls, half fee remission in secondary schools and Arts and Professional Colleges. No action is therefore, called for on the present request.

Ltr No 3734/45-1 29/1/45

Hus 30.1.45

Ltr 30/1/45

This is request 2 on p 7 C/F

Request 2 on p. 7 C/F. Temple entry

[illegible]

Under the Madras Temple Entry Authorisation and Indemnity Act, the trustee or other authority of a Hindu temple may, with the approval of Govt. throw open the temple to classes of Hindus who are denied entry into the temple, if the trustee or other authority considers that the worshippers at the temple are generally not opposed to such entry. Therefore This permission seems to be quite adequate.

MD 31.1.45 There is no mention as to whether any Hindu temple in this Presidency is maintained by Govt.

TD

Draft by Govt.

Draft

Z. A. 10.2.45

Rd (B)

B & F ... 4159 C/45-1 12.2.45

Request 3 at p 7 C/F. The only municipal local body in the district is Mangalore M. C. and there are

Fitz

3911

NF 9/60 at (H)

There are three British representatives on the Council
No action seems called for
The file may be passed to
Desk

Dr 17/2

15.2.45

16.2.45

Dr 11540 D/45

Cttee 3960 B

17-2-45

20 Add in S

Rec'd 20 Feb

UNDER SECRETARY
19 FEB 1945
DEVELOPMENT DEPARTMENT

Please direct the attention of
above Min. Dept. & Circumstances with
the request of the South Kensington Petroleum
Union contained in item 4 on p 7 of Rec'd. Also see
'M' on p 3 ref. The Govt. have sanctioned a grant to the Andhra University for conducting research on the
Cannich of Palmyra jaggery
The Govt. have also sanctioned the appointment

Rec'd
(E)
Ref 2500
9.6.44

Opinion No. 8.

[*Reference.*—Memorandum, No. 5017-1 B-1, L. & M., dated 7th December 1931, Local Self-Government Department.]

Section 75 (2) (*a*) of the Madras Local Boards Act is comprehensive in its scope and character and subject to the exceptions mentioned in the clause and to any restrictions imposed by the Government of India Act, there is nothing to preclude the panchayat from recommending the imposition of any tax as being suitable to the village. The only question, therefore, is whether the proposed tax comes within the expression 'land-cess' in the exception. There is nothing in the Local Boards Act to suggest that land-cess is used in the generic sense of a cess, or a tax with reference to land. The only definition of land-cess is that to be gleaned from section 74 (*b*) and that speaks of land-cess as a tax on the annual rent value of land. It cannot be contended that a tax per plough or per acre of land is identical with a tax on the annual rent value of the land. The only safe rule of interpretation in regard to the power of taxation is to go by the actual terms employed by the legislature, whether viewed from the point of the subject or of the authority empowered to impose the tax. There is no presumption either in favour of or against a particular subject being liable to taxation. On all these grounds I am of opinion that it is open to the panchayat to recommend the proposed tax as being convenient and suitable for the village. I am, of course, not concerned with the policy of imposing additional burden upon the land.

There is nothing in the scheduled taxes rules or in section 80-A (3) of the Government of India Act to preclude the levy of the proposed tax.

MADRAS.
January 1932.

A. KRISHNASWAMI,
Advocate-General.

of three demonstrations for conducting demonstrations in improved methods of manufacturing jaggery from sweet juice. ~~Extracts~~ The DC will arrange to conduct a demonstration in the Sathi Kanara Dt. where the Billava Community resides, if conditions are suitable for the ~~in a demonstration~~ Extracts from the letter from the Union may be communicated to the DC for necessary action. ~~Subject to orders a draft memo to the DC is submitted for approval. After issue of the draft memo the file may be passed on to returned to Public~~ No. 1141 specific case appears called for by the Govt on the Public case may be returned to ~~Rev~~ Dept forwards.

~~What~~ The Union can bring the (Item 4 P.7 (c)) request to the notice of the DC if they so wish. If necessary it can be informed

Public. 11520 A/45-1

08893 22.2.45

Public Rev. is not concerned with any of the requests on pp 6-8 of the file was transferred to Public by Rev for action 21.2.45 Sd/-

Rev 21.2.45 Why Pub & not Rev? ?

b

Publ Serv Dept

b
6/3/45

A-S

Memo to the Bd of R is invited

Data Note from para 2 may be perused

For [illegible]

5/3/45

5.3.45

CSTm 6/3/45

CS

7.3.45

NY

10/3/45

SM

5/3/45

7.3.45

Issued as Memo 8843/45 - Publishers dated 19-3-1945

A-S

This draft minute [illegible] papers may now be recorded

ms
21/3/45

21.3.45

CSTm 21/3/45

753
2273-GS

Gen

Publ Ser Dept Rpt on Data Collection

Billawa Community of South Kanara - Edl + other facilities - Summary

Jalla Billawa

Papers recorded